

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

CHARLES J. and DIANE GILES,
Individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

WELLS FARGO BANK, N.A., PHELAN
HALLINAN & SCHMIEG, P.C., LAWRENCE
T. PHELAN, FRANCIS S. HALLINAN,
DANIEL S. SCHMIEG, ROSEMARIE
DIAMOND, FULL SPECTRUM SERVICES,
INC., and LAND TITLE SERVICES OF
NEW JERSEY, INC.,

Defendants.

**CERTIFICATION OF JAMES G. FLYNN
IN SUPPORT OF PLAINTIFFS' OPPOSITION TO
THE PHELAN DEFENDANTS' MOTION FOR SANCTIONS**

I, James G. Flynn, certify as follows:

1. I am a member of the law firm of Harwood Feffer LLP, counsel for Plaintiffs Charles J. and Diane Giles in the above-captioned matter.
2. I have been a member in good standing of the Bar of the State of New York State since March 1989, and I am admitted *pro hac vice* in this matter.
3. I submit this Certification in support of Plaintiffs' Opposition to the Phelan Defendants' Motion for Sanctions.

4. Attached as Exhibit A is a true and correct copy of counsel's copy of the transcript of the hearing before the Superior Court of New Jersey, Chancery Division, Ocean County on January 18, 2018 in the matter of *Wachovia Bank, N.A. v. Giles*, OCN-F-4671-01. A copy of Exhibit A was also marked as Exhibit 2 during oral argument before this Court on May 14, 2013, as referenced at page 54 of the transcript also annexed as Exhibit C herein.

5. Attached as Exhibit B is a true and correct copy of order of the Superior Court of New Jersey, Chancery Division, Ocean County on January 18, 2018 in the matter of *Wachovia Bank, N.A. v. Giles*, OCN-F-4671-01.

6. Attached as Exhibit C is a true and correct copy of the transcript of oral argument before this Court on May 14, 2013 in the matter of *Giles v. Phelan Hallinan & Schmieg, LLP*.

7. Attached as Exhibit D is a true and correct copy of a letter from Letter from Robert I. Harwood, Esq. to Kenneth Goodkind, Esq., dated April 23, 2013.


8. Attached as Exhibit E is a true and correct copy of and Letter from Lisa J. Rodriguez, Esq. to Kenneth Goodkind, Esq., dated June 12, 2013.

I hereby certify that the foregoing statements made by me are true. I am aware that any of the foregoing statements are willfully false, I am subject to punishment.

Dated: July 2, 2013

Respectfully submitted,

HARWOOD FEFER LLP

By: 
James G. Flynn
488 Madison Avenue, 8th Floor
New York, New York 10022
Tel: (212) 935-7400